

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARON WHITNEY STITELER,

Defendant.

DECISION AND ORDER

6:22-MR-06022 EAW

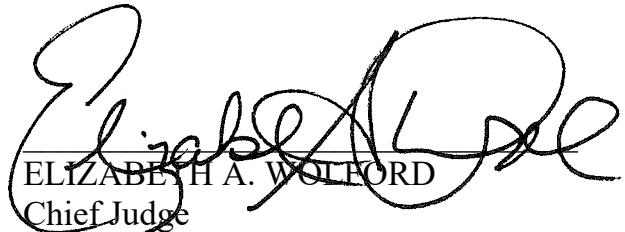
A criminal complaint was filed against defendant Aron Whitney Stiteler (“Defendant”) on March 24, 2021, alleging violations of 47 U.S.C. § 223(a)(1)(D) and (a)(1)(E). (*See United States v. Stiteler*, Case No. 6:21-mj-04050-MWP, Dkt. 1). On December 7, 2021, United States Magistrate Judge Marian W. Payson issued an Order for Psychiatric/Psychological Examination on motion of Defendant’s counsel and with no objection from the government. (*Id.*, Dkt. 24). Defendant was evaluated by Rajendra P. Singh, M.D., who opined that Defendant was currently competent to stand trial. (*Id.*, Dkt. 25). With no objection from either the government or Defendant, Judge Payson issued a thorough Report and Recommendation dated March 2, 2022, finding by a preponderance of the evidence that Defendant is not presently suffering from a mental disease or defect that would render him mentally incompetent to the extent that he would be unable to

understand the nature and consequences of the proceedings against him or render him unable to assist properly in his defense. (*Id.*, Dkt. 27)¹.

Pursuant to Fed. R. Crim. P. 59(b)(2) and 28 U.S.C. § 636(b)(1)(C), the parties had 14 days after being served a copy of the Report and Recommendation to file objections. No objections were filed.

The Court has reviewed the Report and Recommendation and Dr. Singh's psychiatric report and finds no reason to reject or modify Magistrate Judge Payson's Report and Recommendation. Therefore, the Court accepts and adopts the Report and Recommendation, and finds that Defendant is competent to stand trial as defined at 18 U.S.C. § 4241.

SO ORDERED.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court

Dated: March 22, 2022
Rochester, New York

¹ The instant matter was opened on the same date the Report and Recommendation was entered.